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**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-09595-LAP**

Bloomberg L.P. v. Board of Governors of the Federal Reserve System

Assigned to: Judge Loretta A. Preska

Cause: 05:552 Freedom of Information Act

Date Filed: 11/07/2008

Date Terminated: 08/26/2009

Jury Demand: None

Nature of Suit: 895 Freedom of Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

Bloomberg L.P.

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V.

Defendant

Board of Governors of the Federal Reserve System

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Intervenor

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Date Filed	#	Docket Text
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11/07/2008	<u>1</u>	COMPLAINT against Board of Governors of the Federal Reserve System. (Filing Fee \$ 350.00, Receipt Number 668300)Document filed by Bloomberg L.P.(ama) (Entered: 11/13/2008)
11/07/2008		SUMMONS ISSUED as to Board of Governors of the Federal Reserve System, U.S. Attorney and U.S. Attorney General. (ama) (Entered: 11/13/2008)
11/07/2008		Magistrate Judge Ronald L. Ellis is so designated. (ama) (Entered: 11/13/2008)
11/07/2008		Case Designated ECF. (ama) (Entered: 11/13/2008)
11/07/2008	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Bloomberg L.P.(ama) (Entered: 11/13/2008)
11/24/2008	<u>3</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. Board of Governors of the Federal Reserve System served on 11/7/2008, answer due 12/1/2008. Service was accepted by Aretha Charles, Civil Clerk with the United States Attorney's Office. Document filed by Bloomberg L.P.. (Golden, Thomas) (Entered: 11/24/2008)
11/25/2008	<u>4</u>	AMENDED AND SUPPLEMENTAL COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF amending <u>1</u> Complaint against Board of Governors of the Federal Reserve System. Document filed by Bloomberg L.P. Related document: <u>1</u> Complaint filed by Bloomberg L.P. (dle) (dle). (Entered: 11/26/2008)
12/10/2008	<u>5</u>	ANSWER to Amended Complaint. Document filed by Board of Governors of the Federal Reserve System.(Mizusawa, Yvonne) (Entered: 12/10/2008)
12/23/2008	<u>6</u>	INITIAL PRETRIAL CONFERENCE ORDER: Initial Conference set for 1/22/2009 at 02:00 PM in Courtroom 12A, 500 Pearl Street, New York, NY 10007 before Judge Loretta A. Preska. (Signed by Judge Loretta A. Preska on 12/22/08) (mme) (Entered: 12/24/2008)
01/23/2009	<u>7</u>	ENDORSED LETTER addressed to Judge Loretta A. Preska from Thomas H. Golden dated 1/21/2009 re: The parties suggest that the Board file a motion for summary judgment by March 4, 2009 and Bloomberg News would file its response to the Board's motion by April 15, 2009, and the Board would file its reply by May 1, 2009. ENDORSEMENT: The parties may proceed as set out above. So Ordered. (Signed by Judge Loretta A. Preska on 1/22/2009) (jpo) Modified on 2/8/2009 (jpo). (Entered: 01/23/2009)

02/26/2009	<u>8</u>	STIPULATION AND ORDER: IT IS HEREBY ORDERED AND AGREED by and between the undersigned counsel for the parties in the above captioned action that: 1. The defendant Board of Governors of the Federal Reserve System ("Board") shall be permitted to file and initial brief in support of its Motion for Summary Judgment in excess of the Court's 20-page limit. The Board's initial brief will not exceed 55 pages. 2. The plaintiff Bloomberg L.P. shall be permitted to file a brief in Opposition to the Board's Motion for Summary Judgment in excess of the Court's 20-page limit. The plaintiff's Opposition brief will not exceed 55 pages. 3. The Board may file a Reply to the Plaintiff's Opposition in excess of the Court's 10-page limit. The Board's Reply shall not exceed 25 pages. Counsel is reminded that text and footnotes shall be in 12-point type with normal margins. SO ORDERED (Signed by Judge Loretta A. Preska on 2/25/2009) (rw) (Entered: 02/27/2009)
03/04/2009	<u>9</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION for Summary Judgment. Document filed by Board of Governors of the Federal Reserve System. (Attachments: # <u>1</u> Memorandum of Points and Authorities in Support of Defendant's Motion for Summary Judgment, # <u>2</u> Defendant's Statement of Material Facts Not in Dispute, # <u>3</u> Declaration of Susan E. McLaughlin, # <u>4</u> Declaration of Alison M. Thro, # <u>5</u> Declaration of Brian F. Madigan, # <u>6</u> Declaration of Lorie K. Logan, # <u>7</u> Declaration of Helen E. Mucciolo)(Mizusawa, Yvonne) Modified on 3/5/2009 (db). (Entered: 03/04/2009)
03/04/2009		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Yvonne Facchina Mizusawa to RE-FILE Document <u>9</u> MOTION for Summary Judgment. ERROR(S): Supporting Document must be filed separately (i.e. The Memorandum in Support and 5 Declarations in Support of Motion to be filed individually; use the corresponding events found under Replies, Opposition and Supporting Documents; the Rule 56.1 Statement of Facts can be found under the event Other Answers). ***REMINDER*** - First Re-File the Motion, then file and link any supporting documents. (db) (Entered: 03/05/2009)
03/05/2009	<u>10</u>	MOTION for Summary Judgment. Document filed by Board of Governors of the Federal Reserve System.(Mizusawa, Yvonne) (Entered: 03/05/2009)
03/05/2009	<u>11</u>	MEMORANDUM OF LAW in Support re: <u>10</u> MOTION for Summary Judgment.. Document filed by Board of Governors of the Federal Reserve System. (Mizusawa, Yvonne) (Entered: 03/05/2009)
03/05/2009	<u>12</u>	DECLARATION of Alison M. Thro in Support re: <u>10</u> MOTION for Summary Judgment.. Document filed by Board of Governors of the Federal Reserve System. (Mizusawa, Yvonne) (Entered: 03/05/2009)
03/05/2009	<u>13</u>	DECLARATION of Brian F. Madigan in Support re: <u>10</u> MOTION for Summary Judgment.. Document filed by Board of Governors of the Federal Reserve System. (Mizusawa, Yvonne) (Entered: 03/05/2009)

03/05/2009	<u>14</u>	DECLARATION of Susan E. McLaughlin in Support re: <u>10</u> MOTION for Summary Judgment.. Document filed by Board of Governors of the Federal Reserve System. (Mizusawa, Yvonne) (Entered: 03/05/2009)
03/05/2009	<u>15</u>	DECLARATION of Lorie K. Logan in Support re: <u>10</u> MOTION for Summary Judgment.. Document filed by Board of Governors of the Federal Reserve System. (Mizusawa, Yvonne) (Entered: 03/05/2009)
03/05/2009	<u>16</u>	DECLARATION of Helen E. Mucciolo in Support re: <u>10</u> MOTION for Summary Judgment.. Document filed by Board of Governors of the Federal Reserve System. (Mizusawa, Yvonne) (Entered: 03/05/2009)
03/05/2009	<u>17</u>	RULE 56.1 STATEMENT. Document filed by Board of Governors of the Federal Reserve System. (Mizusawa, Yvonne) (Entered: 03/05/2009)
04/15/2009	<u>18</u>	MOTION for Summary Judgment Bloomberg, L.P.'s Notice of Cross-Motion for Summary Judgment. Document filed by Bloomberg L.P..(Rose, Scott) (Entered: 04/15/2009)
04/15/2009	<u>19</u>	MEMORANDUM OF LAW in Opposition re: <u>10</u> MOTION for Summary Judgment. <i>and in Support of Plaintiff's Cross-Motion for Summary Judgment</i> . Document filed by Bloomberg L.P.. (Rose, Scott) (Entered: 04/15/2009)
04/15/2009	<u>20</u>	DECLARATION of Scott S. Rose in Opposition re: <u>10</u> MOTION for Summary Judgment.. Document filed by Bloomberg L.P.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14.1, # <u>15</u> Exhibit 14.2, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16, # <u>18</u> Exhibit 17, # <u>19</u> Exhibit 18, # <u>20</u> Exhibit 19, # <u>21</u> Exhibit 20, # <u>22</u> Exhibit 21, # <u>23</u> Exhibit 22, # <u>24</u> Exhibit 23, # <u>25</u> Exhibit 24, # <u>26</u> Exhibit 25, # <u>27</u> Exhibit 26, # <u>28</u> Exhibit 27, # <u>29</u> Exhibit 28, # <u>30</u> Exhibit 29, # <u>31</u> Exhibit 30, # <u>32</u> Exhibit 31, # <u>33</u> Exhibit 32, # <u>34</u> Exhibit 33, # <u>35</u> Exhibit 34, # <u>36</u> Exhibit 35, # <u>37</u> Exhibit 36, # <u>38</u> Exhibit 37, # <u>39</u> Exhibit 38, # <u>40</u> Exhibit 39, # <u>41</u> Exhibit 40, # <u>42</u> Exhibit 41, # <u>43</u> Exhibit 42, # <u>44</u> Exhibit 43, # <u>45</u> Exhibit 44, # <u>46</u> Exhibit 45, # <u>47</u> Exhibit 46, # <u>48</u> Exhibit 47, # <u>49</u> Exhibit 48, # <u>50</u> Exhibit 49, # <u>51</u> Exhibit 50, # <u>52</u> Exhibit 51, # <u>53</u> Exhibit 52)(Rose, Scott) (Entered: 04/15/2009)
04/15/2009	<u>21</u>	DECLARATION of Charles J. Glasser, Jr. in Opposition re: <u>10</u> MOTION for Summary Judgment.. Document filed by Bloomberg L.P.. (Rose, Scott) (Entered: 04/15/2009)
04/15/2009	<u>22</u>	DECLARATION of Sharon Brown-Hruska in Opposition re: <u>10</u> MOTION for Summary Judgment.. Document filed by Bloomberg L.P.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Rose, Scott) (Entered: 04/15/2009)

04/15/2009	23	RULE 56.1 STATEMENT. Document filed by Bloomberg L.P.. (Rose, Scott) (Entered: 04/15/2009)
04/15/2009	24	RESPONSE re: 17 Rule 56.1 Statement / <i>Plaintiff's Response to Defendant's Statement of Material Facts Not In Dispute</i> . Document filed by Bloomberg L.P.. (Rose, Scott) (Entered: 04/15/2009)
05/01/2009	25	COUNTER STATEMENT TO 23 Rule 56.1 Statement. Document filed by Board of Governors of the Federal Reserve System. (Mizusawa, Yvonne) (Entered: 05/01/2009)
05/01/2009	26	REPLY MEMORANDUM OF LAW in Opposition re: 18 MOTION for Summary Judgment / <i>Defendant Bloomberg, L.P.'s Notice of Cross-Motion for Summary Judgment. Defendant Board of Governors of the Federal Reserve System's Reply and Opposition to Plaintiff's Cross Motion for Summary Judgment</i> . Document filed by Board of Governors of the Federal Reserve System. (Attachments: # 1 Exhibit 1 - Suppl. Thro Decl.)(Mizusawa, Yvonne) (Entered: 05/01/2009)
05/08/2009	27	REPLY MEMORANDUM OF LAW in Support re: 18 MOTION for Summary Judgment / <i>Defendant Bloomberg, L.P.'s Notice of Cross-Motion for Summary Judgment..</i> Document filed by Bloomberg L.P.. (Rose, Scott) (Entered: 05/08/2009)
07/21/2009	28	ORDER The Plaintiff and Defendant are directed to submit additional briefing on the issue of whether the Federal Reserve Bank of New York is an agency under FOIA. (Compare Plaintiff Bloomberg L.P.'s Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment and in Support of its Cross-Motion for Summary Judgment at 17-19, with Defendant Board of Governors of the Federal Reserve System's Reply and Opposition to Plaintiff's Cross Motion for Summary Judgment at 9-10.) Defendant shall electronically file a Supplemental Memorandum of Law on or before close of business Thursday, July 23, 2009, and distribute courtesy copies to the Court and Plaintiff. Plaintiff shall electronically file a Supplemental Memorandum of Law on or before close of business Tuesday, July 28, 2009, and distribute courtesy copies to the Court and Defendant. Supplemental Memoranda of Law shall be no longer than five pages. (Signed by Judge Loretta A. Preska on 7/20/09) (djc) Modified on 7/24/2009 (djc). (Entered: 07/21/2009)
07/23/2009	29	RESPONSE in Support re: 10 MOTION for Summary Judgment. <i>Supplemental Brief</i> . Document filed by Board of Governors of the Federal Reserve System. (Mizusawa, Yvonne) (Entered: 07/23/2009)
07/28/2009	30	SUPPLEMENTAL MEMORANDUM OF LAW in Support re: 18 MOTION for Summary Judgment / <i>Defendant Bloomberg, L.P.'s Notice of Cross-Motion for Summary Judgment. /Plaintiff Bloomberg L.P.'s Supplemental Memorandum of Law Concerning the "Agency" Status of the Federal Reserve Bank of New York</i> . Document filed by Bloomberg L.P.. (Golden, Thomas) (Entered: 07/28/2009)

08/24/2009	31	OPINION AND ORDER:#97945 For the reasons set forth herein, the Board's Motion for Summary Judgment [dkt. no. 10] is DENIED, and Bloomberg's Motion for Summary Judgment [dkt. no. 18] is GRANTED. Specifically, The Board shall produce forthwith the Remaining Term Reports within five business days of the date hereof; The Board shall search forthwith records at the FRBNY that constitute "Records of the Board" within the meaning of 12 C.F.R. § 261.2 (i) (1); and The parties shall confer following their review of the results of the search and inform the Court by letter no later than September 14, 2009 how they propose to proceed. (Signed by Judge Loretta A. Preska on 8/24/2009) (jpo) Modified on 8/25/2009 (eef). (Entered: 08/24/2009)
08/24/2009		Transmission to Judgments and Orders Clerk. Transmitted re: 31 Opinion & Order, Set Deadlines/Hearings, to the Judgments and Orders Clerk. (jpo) (Entered: 08/24/2009)
08/26/2009	32	CLERK'S JUDGMENT in favor of Board of Governors of the Federal Reserve System against Bloomberg L.P. that plttf's motion for summary judgment is granted, defendant's motion is denied. (Signed by J. Michael McMahon, Clerk on 8/26/09) (jf) (Additional attachment(s) added on 8/27/2009: # 1 notice of right to appeal) (jf). (Entered: 08/27/2009)
08/27/2009		Minute Entry for proceedings held before Judge Loretta A. Preska: Telephone Conference held on 8/27/2009. (mro) (Entered: 09/01/2009)
08/28/2009	33	STIPULATION AND ORDER STAYING ORDER OF AUGUST 24, 2009: The parties agree as follows: Accompanied by an emergency stay application, the Board shall file its notice of appeal within three business days after it is authorized to do so, but in no event later than September 30, 2009, based on the Board's undertaking to obtain a decision on authorization no later than September 25, 2009, authorization to pursue an appeal or otherwise decides not to pursue an appeal. The Board will not oppose a motion filed by Bloomberg under Rule 2 of the Federal Rules of Appellate Procedure for a suspension of the applicable rules for the purpose of expediting the Court of Appeals' decision. The Court's August 24th Order is hereby stayed pending the outcome of the emergency stay application in the Court of Appeals. At the time it files its notice of appeal and emergency stay application in the Court of Appeals, the Board shall seek expedited treatment of the appeal. (Signed by Judge Loretta A. Preska on 8/28/2009) (jpo) (Entered: 08/28/2009)
09/11/2009	37	RESPONSE, the Clearing House does not have standing and cannot establish all of the requirements for intervention, and The Clearing House seeks to intervene in order to attempt impermissible to expand the record on appeal. For all of these reasons, Bloomberg would oppose a motion by The Clearing House to intervene. Document filed by Bloomberg L.P.. (mbe) (Entered: 09/21/2009)

09/14/2009	38	REPLY, on behalf of The Clearing House Association L.L.C. we respond to Plaintiff Bloomberg L.P.'s letter to the Court, dated September 11, 2009. As described in the Nelson Declaration, Clearing House members have participated in the Lending Programs with the clear understanding that the FRB's would not publicly disclose information about their participation, and Clearing House members required by the Order, the commercially sensitive information sought by Bloomberg. In opposing intervention, Bloomberg cannot rely on this Court's finding of fact that such disclosures will not result in such harm when that is one of the issues that the Clearing House wishes to appeal. Document filed by The Clearing House Association L.L.C.. (mbe) (Entered: 09/21/2009)
09/18/2009	34	ORDER: It is hereby ordered that the motion of the Clearing House to intervene is granted. The Clearing House shall provide in electronic form Mr. Giuffra's September 9, 2009 letter with attachments, and, because it constitutes the motion papers, the Clerk of the Court shall accept it for docketing. (Signed by Judge Loretta A. Preska on 9/17/2009) (jpo) (Entered: 09/18/2009)
09/21/2009	35	NOTICE OF APPEARANCE by Robert Joseph Giuffra, Jr on behalf of The Clearing House Association L.L.C. (Giuffra, Robert) (Entered: 09/21/2009)
09/21/2009	36	NOTICE OF APPEARANCE by William J. Snipes on behalf of The Clearing House Association L.L.C. (Snipes, William) (Entered: 09/21/2009)
09/21/2009	39	MOTION to Intervene <i>by Letter Filed Pursuant to Court's Order dated September 17, 2009</i> . Document filed by The Clearing House Association L.L.C.. (Attachments: # 1 Exhibit Certificate of Service)(Giuffra, Robert) (Entered: 09/21/2009)
09/21/2009	40	MEMORANDUM OF LAW in Support re: 39 MOTION to Intervene <i>by Letter Filed Pursuant to Court's Order dated September 17, 2009</i> .. Document filed by The Clearing House Association L.L.C.. (Attachments: # 1 Exhibit Proposed Notice of Appeal)(Giuffra, Robert) (Entered: 09/21/2009)
09/21/2009	41	DECLARATION of Robert J. Giuffra, Jr. in Support re: 39 MOTION to Intervene <i>by Letter Filed Pursuant to Court's Order dated September 17, 2009</i> .. Document filed by The Clearing House Association L.L.C.. (Attachments: # 1 Exhibit A, Part 1 of 3, # 2 Exhibit A, Part 2 of 3, # 3 Exhibit A, Part 3 of 3, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, Part 1 of 2, # 8 Exhibit E, Part 2 of 2, # 9 Exhibit F) (Giuffra, Robert) (Entered: 09/21/2009)
09/30/2009	42	NOTICE OF APPEAL from 31 Memorandum & Opinion, 32 Clerk's Judgment,. Document filed by Board of Governors of the Federal Reserve System. (nd) (Entered: 09/30/2009)
09/30/2009		Transmission of Notice of Appeal to the District Judge re: 42 Notice of Appeal. (nd) (Entered: 09/30/2009)

09/30/2009		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 42 Notice of Appeal. (nd) (Entered: 09/30/2009)
09/30/2009		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for 39 MOTION to Intervene by <i>Letter Filed Pursuant to Court's Order dated September 17, 2009</i> . filed by The Clearing House Association L.L.C., 15 Declaration in Support of Motion filed by Board of Governors of the Federal Reserve System, 12 Declaration in Support of Motion filed by Board of Governors of the Federal Reserve System, 4 Amended Complaint, filed by Bloomberg L.P., 21 Declaration in Opposition to Motion filed by Bloomberg L.P., 41 Declaration in Support of Motion, filed by The Clearing House Association L.L.C., 42 Notice of Appeal filed by Board of Governors of the Federal Reserve System, 33 Stipulation and Order, Set Deadlines/Hearings,,,,,, 34 Order, Terminate Motions,, 11 Memorandum of Law in Support of Motion filed by Board of Governors of the Federal Reserve System, 3 Affidavit of Service Complaints, filed by Bloomberg L.P., 13 Declaration in Support of Motion filed by Board of Governors of the Federal Reserve System, 6 Order for Initial Pretrial Conference, 28 Order,,,, 10 MOTION for Summary Judgment. filed by Board of Governors of the Federal Reserve System, 18 MOTION for Summary Judgment / <i>Defendant Bloomberg, L.P.'s Notice of Cross-Motion for Summary Judgment</i> . filed by Bloomberg L.P., 17 Rule 56.1 Statement filed by Board of Governors of the Federal Reserve System, 14 Declaration in Support of Motion filed by Board of Governors of the Federal Reserve System, 31 Memorandum & Opinion, Set Deadlines/Hearings,,,, 35 Notice of Appearance filed by The Clearing House Association L.L.C., 8 Stipulation and Order,, 40 Memorandum of Law in Support of Motion, filed by The Clearing House Association L.L.C., 36 Notice of Appearance filed by The Clearing House Association L.L.C., 29 Response in Support of Motion filed by Board of Governors of the Federal Reserve System, 20 Declaration in Opposition to Motion,,,, filed by Bloomberg L.P., 30 Memorandum of Law in Support of Motion, filed by Bloomberg L.P., 26 Reply Memorandum of Law in Oppisition to Motion, filed by Board of Governors of the Federal Reserve System, 2 Rule 7.1 Corporate Disclosure Statement filed by Bloomberg L.P., 24 Response filed by Bloomberg L.P., 16 Declaration in Support of Motion filed by Board of Governors of the Federal Reserve System, 25 Counter Statement to Rule 56.1 filed by Board of Governors of the Federal Reserve System, 22 Declaration in Opposition to Motion filed by Bloomberg L.P., 5 Answer to Amended Complaint filed by Board of Governors of the Federal Reserve System, 7 Endorsed Letter, Set Deadlines/Hearings,, 19 Memorandum of Law in Opposition to Motion filed by Bloomberg L.P., 32 Clerk's Judgment, 1 Complaint filed by Bloomberg L.P., 27 Reply Memorandum of Law in Support of Motion filed by Bloomberg L.P. were transmitted to the U.S. Court of Appeals. (nd) (Entered: 09/30/2009)
09/30/2009	43	NOTICE OF APPEAL from 34 Order, Terminate Motions,, 31 Memorandum & Opinion, Set Deadlines/Hearings, 32 Clerk's Judgment,. Document filed by The Clearing House Association L.L.C.. Filing fee \$ 455.00, receipt number E 701821. (nd) (Entered: 10/01/2009)
10/01/2009		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 43 Notice of Appeal. (nd) (Entered: 10/01/2009)

10/01/2009		Transmission of Notice of Appeal to the District Judge re: 43 Notice of Appeal. (nd) (Entered: 10/01/2009)
10/01/2009	44	ENDORSED LETTER addressed to Judge Loretta A. Preska from Yvonne F. Mizusawa dated 10/1/09 re: counsel for defendant writes to the Court that the Clerk of the Second Circuit Court of Appeals has requested guidance from this Court with respect to this Courts August 28,2009 Stipulation and Order Staying Order of August 24, 2009 ("Stay Order"). The Stay Order provides that "[t]he Board shall file its notice of appeal accompanied by an emergency stay application within (3) business days after it is authorized to do so~ but in no event later than September 30, 2009...." The Stay Order further provides that "[t]he Court's August 24th Order is hereby stayed pending the outcome of the emergency stay application in the Court of Appeals." The Second Circuit docketed the appeal (09 cv 4083) on October 1, 2009 when paper copies of the Notice of Appeal were received from the Clerk of the Southern District. Because the notice of appeal was filed with the Southern District on September 30, 2009, and because the Emergency Stay Motion was received by the Second Circuit and the parties on September 30th in electronic from, we believe that the Board has complied with the Stay Order and that, by its terms, the Stay Order continues in effect until the outcome of the Emergency Stay Motion in the Court of Appeals. We would ask that you confirm this understanding by endorsing this letter, which we will provide to the Clerk of the Second Circuit and the parties. ENDORSEMENT: So Confirmed. So Ordered. (Signed by Judge Loretta A. Preska on 10/1/09) (pl) (Entered: 10/01/2009)
03/24/2011	45	MANDATE of USCA (Certified Copy) as to 43 Notice of Appeal filed by The Clearing House Association L.L.C., 42 Notice of Appeal filed by Board of Governors of the Federal Reserve System USCA Case Number 09-4083-cv, 09-4097-cv (con). Ordered, Adjudged and Decreed that the judgment of the District Court is AFFIRMED in accordance with the opinion of this Court. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 03/23/2011. (nd) (Entered: 03/24/2011)
03/24/2011		Transmission of USCA Mandate/Order to the District Judge re: 45 USCA Mandate,. (nd) (Entered: 03/24/2011)

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